

HARNESS, DICKEY & PIERCE, P.L.C.

Attorneys and Counselors
11730 Plaza America Drive, Suite 600,
Reston, Virginia 20190
P.O. Box 8910, Reston, Virginia 20195
Phone: (703) 668-8000
Fax: (703) 668-8200

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To: Examiner Stephen M. D'Agosta From: John E. Curtin
U.S. Patent and Trademark Office 703-668-8046 (phone)
703-668-8200 (fax)

Fax: 703-872-9314 Date: June 25, 2004

Phone: Pages: 4 (including cover sheet)

Re: Serial No. 09/651,849 CC:
Attorney Docket No. 29250-10051/US

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply

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COMMENTS:

ATTACHED IS THE SIGNED DECLARATION UNDER 37 C.F.R §1.132. AN UNSIGNED COPY WAS FILED WITH A REQUEST FOR RECONSIDERATION ON WEDNESDAY, JUNE 23, 2004.

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PATENT
29250-001051/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sarath KUMAR et al.

Conf. No.: 4424

Serial No.: 09/651,849

Group: 2141

Filed: August 31, 2000

Examiner: Stephen M. D'Agosta

For: ENHANCED METRIC FOR BIT DETECTION ON FADING CHANNELS
WITH UNKNOWN STATISTICSDECLARATION UNDER 37 C.F.R. §1.132

Box AF
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Washington, DC 20231

Sir:

I, Pantelis Monogioudis, declare:

1. I believe I am a joint inventor of all the originally filed claims of the above-identified patent application.

2. The above-identified patent application is currently assigned to Lucent Technologies Inc. ("Lucent") as recorded on 22 March 2001.

REEL/FRAME: 011670/0528.

Application No. 09/651,849

3. I am currently an employee of Lucent.

4. Two of my joint inventors Sarath Kumar and Ashwin Sampath are the authors of a paper entitled "Analysis of Pilot Symbol Assisted Modulation (PSAM) Systems with Power Control and Diversity" ("article").

5. On information and belief, the article was submitted to a technical conference for publishing in Amsterdam, Netherlands, between September 19th and 22nd, 1999.

6. The article describes the work of my co-inventors Messrs. Kumar and Sampath, appears to include features of inventions that are claimed in the above-identified patent application, and was authorized for publication by Lucent.

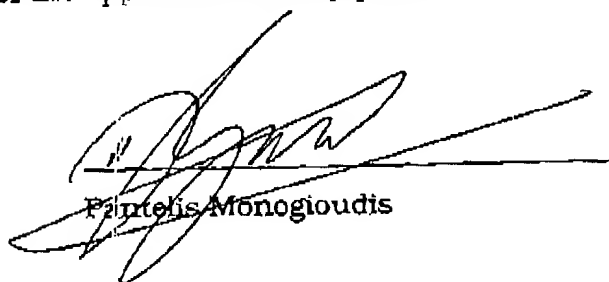
7. At the time the article was published and at the time the above-identified patent application was filed, Messrs. Kumar, Sampath and myself were all employees of Lucent.

8. At the present time, Messrs. Kumar and Sampath are no longer employees of Lucent.

9. I have spoken to Mr. Kumar to verify the statements made in paragraphs 3-8 above.

Application No. 09/651,849

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Pantelis Monogioudis

6/23/04
Date